

**TOWN OF WOODSTOCK, CONNECTICUT
PLANNING & ZONING REGULATION REVIEW
SPECIAL SUBCOMMITTEE MEETING
THURSDAY, MAY 24, 2012**

MEETING MINUTES

1. Call to order at 7:32 p.m.
2. Roll Call - Delia Fey, David Fortin, Dexter Young, Dorothy Durst, Fred Rich
3. Approval of minutes
 - a. **May 3, 2012 meeting**
MOTION BY FRED RICH/DEXTER YOUNG TO APPROVE THE MAY 3, 2012 MINUTES. MOTION CARRIED UNANIMOUSLY.
4. Citizen's Comments – Durst states that FEMA sent out letters to many communities about floodplains and in many communities, it was asked that these regulations be rewritten. Durst would like to check with the Floodplain Administrator (Terry Bellman) to see if this letter was received and whether it is still a pending matter. Fey will follow-up.
5. Town Planner Comments – Recommends discussing a site plan review process that could be simpler than a special permit for certain uses. This item will be added to the strategic plan for phase two.
6. Other from Commission (no discussion of pending or potential applications) - None
7. Resume DRAFT Zoning Regulations review at Article V, D, Section 6, Post Decision. After careful consideration to the comments of Delia Fey and Commission members, and detailed discussion, the following additions and deletions were decided upon:

Article V, D, Section 6, Post Decision

- A. Following the action of the Commission to approve, or **to** modify and approve, a special permit application, and prior to endorsement of ~~said the~~ approved special permit plans, the applicant shall submit to the Commission ~~an electronic drawing of said the~~ approved Special Permit plans **in digital format. See “Permits above, for specifics of this requirement.**

~~1. The electronic drawing shall contain layers portraying all information required in Article __, Section __.~~

~~2. Following the completion of a house or other building, and prior to the issuance of the certificate of occupancy and prior to the release of any surety, the applicant or his/her assigns shall provide an electronic drawing of the lot's as built conditions containing the building(s) location(s), finish floor elevation, utility systems, septic location, boundary, easements, parking spaces, and roads or driveways, as applicable. All such electronic drawings shall conform to the Connecticut Grid System NAD 27 or NAD 84 83 Datum, in either AutoCAD (.dwg), ESRI, or other format acceptable to the Commission.~~

~~3. Such electronic drawings may contain disclaimers by the plan preparer to the effect that any use of said electronic drawing is strictly for Town of Woodstock use only and that any dissemination, manipulation, modification, distribution or copying of said electronic drawing, other than by the Town of Woodstock or its designated agents, is strictly prohibited. Said electronic drawing need not contain a reference to the plan preparer nor to the specific project or site, however, the transmittal accompanying said electronic drawing shall reference the plan preparer and the specific project or site.~~

~~4. The Commission, or its designated agent, may waive the requirement for said electronic drawing for minor improvements, such as accessory buildings.~~

- B. Notice of the decision of the Commission shall be published in a newspaper having a general**

- circulation in the municipality in which the affected property is located within fifteen (15) days after the decision is rendered. ~~A legal notice will be published within 15 days of the decision.~~
- C. Notice of the findings must be mailed to the applicant by certified mail. The owner and representative shall also be informed within fifteen (15) days. ~~All applicants, owners and representatives will receive a decision letter within fifteen (15) days.~~
- D. An appeal period of fifteen (15) days after the publication of the decision in the newspaper applies before the decision becomes effective. ~~Any legal challenge must be filed within the fifteen (15) day appeal period.~~
- E. No Special Permit shall take effect until the **Notice of Special Permit**, ~~and~~ accompanying **Special Permit Plan /maps printed on mylar** with the Commission's endorsement thereon, ~~and any necessary legal documents~~, have been recorded in the Office of the Town Clerk.
- F. An approved Special Permit shall become null and void if the Special Permit is not recorded on the land records within six (6) months of the date of approval by the Commission.
- G. A modification of a Special Permit shall follow all of the same procedures and requirements for a Special Permit. ~~A Special Permit may be amended in like manner as provided for the granting of a Special Permit.~~

Article V, D, Section 7 Special Permit Bonds will be reviewed at a later date after Delia reviews new bonding law and the letter from the Town Attorney from November of 2011.

Article V, D, Section 8 Notification to Adjoining Municipalities

- A. The Commission shall notify the clerk of any adjoining municipality by Certified Mail, Return Receipt Requested of any application, petition, appeal, request or plan concerning any project on any site within seven (7) days of official "Date of Receipt" in which:
1. any portion of the property affected by a decision of such Commission, is within five hundred (500) feet of the boundary of the adjoining municipality;
 2. a significant portion of the traffic to the completed project on the site will use streets within the adjoining municipality to enter or exit the site;
 3. a significant portion of the sewer or water drainage from the project on the site will flow through and significantly impact the drainage or sewerage system within the adjoining municipality; or
 4. water runoff from the improved site will impact streets or other municipal or private property within the adjoining municipality.
- B. Such adjoining municipality may, through a representative, appear and be heard at any hearing on any such application, petition, appeal, request or plan.

Chair Dave Fortin asks Ms. Fey to go over her proposed amendments to page 5 of the working draft, Article V, Section 3. The following are the agreed changes:

Article V, Section 3, Zoning Permit Requirements

- A. ~~Permit Required, except as provided in Section — and — above, no building, structure, premises or land shall be used or occupied, and no building or part thereof or other structure shall be erected, constructed, built, moved, placed, reconstructed, extended, enlarged, altered or demolished, and no land development activities shall be undertaken, and no building permit or certificate or occupancy shall be issued, until a zoning permit has been approved and issued by the Zoning Enforcement Officer or the Commission.~~

A zoning permit shall be required for all such activities, including those also requiring a special permit. ~~Information Requirements:~~ An application for a **Zoning Permit** shall be on a form supplied by the **Planning & Zoning Commission**. All **required materials information** shall be provided in ~~written and/or mapped form,~~ printed and digital versions as **shall** be determined by ZEO appropriate. If the application is to be

reviewed by the Commission, then fifteen (15) copies shall be submitted with the application. Except as provided below, all of the following shall be required:

- A. Completed application form;
- B. ~~Application Zoning Permit fees;~~
- C. **Name, signature and address of the applicant and the legal owner of the property.** ~~name of property owner, and~~
- D. **In the case of real property, the record title to which is held by a trustee of an undisclosed trust, a sworn statement disclosing the name of the equitable owner of real property or the beneficiary of the trust;**
- E. **Street address of the property;**
- F. Assessor's map, **block**, and lot identification numbers;
- G. Subdivision approval from the ~~Planning & Zoning~~ Commission, ~~when where~~ required;
- H. **Where on-site sewage disposal is proposed by the applicant, written approval from the Northeast District Department of Health, Connecticut Department of **Energy &** Environmental Protection, or Connecticut Department of **Public Health** ~~Health Services~~ indicating the suitability of the site to accommodate on-site sewage disposal for the proposed use, activity, building or structure, and the identification of any areas of special concern;**
- I. **Approval from Health Department when required;**
- J. **Where sewer service is proposed by the applicant, written approval from the Water Pollution Control Authority;**
- K. **Where water service/water supply is required, written approval ~~for~~ from the appropriate authorities;**
- L. Written ~~report approval~~ from the Inland Wetlands and Watercourses Agency **or Agent** for any proposed activities subject to their jurisdiction;
- M. ~~Photocopy of the assessor's map with the subject property identified;~~
- N. **The ZEO or the Commission may require a plan or sketch drawn to scale showing any or all of the following;**
 - 1. **Boundaries**, north arrow, dimensions and area of the lot. The Zoning Enforcement Officer or the Commission may require a Class D, C-1 or A-2 survey where that level of accuracy is deemed necessary, or where otherwise required in these Regulations.

~~Zoning permit plan, 1 inch = 40 feet scale (1 inch = 20 feet or 1 inch = 100 feet or 1 inch = 200 feet scales may be approved by the Zoning Enforcement Officer, where appropriate, provided all necessary information can be adequately presented) in a scaled sketch plan or survey plan form. The Zoning Enforcement Officer or the Commission may require a Class D, C-1 or A-2 survey where that level of accuracy is deemed necessary, or where otherwise required in these regulations and 24 inch x 36 inch plan dimension, including the following:~~
 - ~~Boundaries, north arrow, dimensions and area of the lot;~~
 - 2. Name, address, and phone number of surveyor/engineer responsible for preparation of the map, where applicable;
 - 3. ~~Certification by a licensed land surveyor and/or professional engineer, as applicable;~~
 - 4. **Name, address and phone number of CT licensed surveyor or Professional Engineer responsible for preparation of the map(s), where applicable;**
 - 5. Setback requirements;
 - 6. Locations of all existing and proposed buildings, structures and uses, including but not limited to driveways, parking areas, well, septic system, abutting streets, ~~utilities utility poles~~ along existing frontage or within the lot (furnish i.d. numbers **of poles**), and signs;
 - 7. Location of any easements or rights-of-way;
 - 8. Locations of all wetlands and watercourses, and whether field located by a soil scientist or **derived from USDA soils survey** ~~transposed from the Woodstock Official Wetlands Map;~~
 - 9. Location and arrangement of planned erosion and sediment control measures. **when required** ~~(applicants should note that a detailed erosion and sedimentation control plan is required for all activities and/or proposals disturbing an area larger than one-half acre (except construction of a single family home on a lot that is not part of a subdivision or resubdivision), as required under CGS~~

~~Sections 22a-325 through 22a-329 inclusive Public Act 83-388, as amended, and as required in Article __, Section __ of these regulations);~~

10. ~~Location of the federal 100-year floodplain and base flood elevation data, as determined by or for the Federal Emergency Management Agency under the National Flood Insurance Program, and comprising all special flood hazard areas inundated by 100-year flood;~~
11. ~~Any other information deemed necessary by the Zoning Enforcement Officer or the Commission for a determination that such proposed use, activity, building or structure is in conformity with these regulations;~~
12. ~~A detailed soil erosion and sediment control plan [E&S Plan] for all activities and proposals disturbing an area larger than one-half acre except construction of a single family home on a lot that is not part of a subdivision or resubdivision;~~

13. ~~The Commission or ZEO may require an applicant or property owner to demonstrate compliance with the total allowed lighting requirements of these Regulations. The Commission or ZEO may require:~~

- ~~a. a lighting plan showing the location, height, type and number of outdoor lighting luminaires; an isodiagram showing the intensity of illumination expressed in footcandles at ground level; and/or any other information as required;~~
- ~~b. professional engineering review; or~~
- ~~c. a special permit application based upon the scope and complexity of the applicant's proposed use.~~

- K. Any other information deemed necessary by the Zoning Enforcement Officer or the Commission for a determination that such proposed use, activity, building or structure is in conformity with these Regulations.

Article VI V, D, Section 2 ~~Special Permit Information Requirements~~

~~A. Commission.~~

~~B. All information shall be provided in written and/or mapped form, as appropriate.~~

~~C. All applicants for Special Permits to complete and submit the Conservation Commission Development Review Checklist (to be attached to the Zoning Regulations as Appendix B) with their applications.~~

~~All of the following shall be required and shall be provided in written or mapped form, as appropriate:~~
 Application for a Special Permit shall be on a form supplied by the ~~Planning & Zoning~~ Commission. All information shall be provided in written or mapped form, as appropriate. Except as provided below, all of the following shall be required:

- A. All Zoning Permit requirements;
- B. Completed application form;
- C. Special permit fee;
- D. Name of applicant, name of property owner, and address of property;
- E. In the case of real property, the record title to which is held by a trustee of an undisclosed trust, a sworn statement disclosing the name of the equitable owner of real property or the beneficiary of the trust;**

F. Street address of the property;

- G. Assessor's map, **block** and lot identification numbers;
- H. Subdivision approval from the ~~Planning & Zoning~~ Commission, where required;
- I. Where on-site sewage disposal is proposed by the applicant, written approval from the Northeast District Department of Health, Connecticut Department of **Energy &** Environmental Protection or Connecticut Department of **Public Health Health Services** indicating the suitability of the site to accommodate on-site sewage disposal for the proposed use, activity, building or structure, including the identification of any areas of special concern;

J. Approval from Health Department when required;

- K. Where sewer service is proposed by the applicant, written approval from the Water Pollution Control Authority;
- L. Written approval for water service/water supply from the appropriate authorities, **where required;**
- M. Written approval from the Inland Wetlands and Watercourses Agency regarding proposed activities subject to their jurisdiction;
- N. **Where the proposed activity, use or structure is within the watershed of a water company, written notice of the application to the water company and the Commissioner of Public Health in the format prescribed by the Commissioner. Such notice shall be made by certified mail, return receipt requested, and shall be mailed not later than seven days after the date of the application.**
- O. ~~Completed and complete and submit the~~ Conservation Commission Development Review Checklist; ~~(to be attached to the Zoning Regulations as Appendix B) with their applications.~~
- P. ~~A traffic report for all multi-family residential uses and nonresidential uses. The A traffic report must be prepared by a professional traffic engineer and which must address sight lines, traffic safety, traffic generation, and existing and projected traffic conditions as well as traffic counts and accident history in or near that location;~~

Q. An engineer's itemized estimate of the cost of construction of all public improvements, common interest elements, and soil erosion and sedimentation prevention measures satisfactory to the Town Engineer, Town Planner, and the Commission; and

- R. A statement regarding the nature of any potential off-site impacts, and measures taken to minimize such impacts;

S. Documentation from the Connecticut Department of Transportation related to the proposal;

- T. **Any other certifications as required by any law or regulation, including approvals or waivers from any federal, state, regional, county, or local agency having jurisdiction over any matters related to the proposed project or land development.**

MOTION BY FRED RICH/DOROTHY DURST TO TABLE THE BALANCE OF REVIEW ITEM 7, ARTICLE 5 TO THE NEXT MEETING ON JUNE 7. MOTION CARRIES UNANIMOUSLY.

MOTION BY FRED RICH/DOROTHY DURST TO TABLE ITEM 8, DRAFT ZONING REGULATIONS, ARTICLE 7. MOTION CARRIED UNANIMOUSLY.

9. Agenda for next meeting – (June 7, 2012 at 7:30 p.m. was decided upon for the next meeting.)
- Chair Fortin states that the subcommittee will resume at Zoning Permit and Special Permit Requirements.
 - Chair Fortin will be reviewing Articles 1, 2, 3 and 4 for any leftover comment bubbles and would like to get something over to the attorney for review ASAP. Delia will mail out printed copy to Durst, Young & Rich. Fortin will inquire via email as to whether other members would like a written or electronic copy.
10. Adjourn
- MOTION BY FRED RICH/DEXTER YOUNG TO ADJOURN AT 09:37 P.M.
MOTION CARRIES UNANIMOUSLY.**

Respectfully Submitted,

Tina M. Lajoie
Planning & Zoning Clerk